



XI-78

19

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

Cr.R. 389

मामला क्रमांक सन् 2007

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	Cr. REV. [PR No. 1803/2007] (Single Bench: Hon'ble Mr. Justice Dharendra Mishra)	
	<u>Applicant</u>	Amit Agarwal, S/o Jaibhagwan Agarwal, Age 27 years, Occupation Business, R/o Village-Tamta, Thana, Pathalgaon, Distt. Jashpur (C.G.)
	Vs	
	<u>Non-applicant</u>	State of Chhattisgarh, through the Station House Officer, P.S. Pathalgaon, Distt- Jashpur [C.G.]
	<u>31.7.2007</u>	
	Miss Sharmila Singhai, Adv. for the applicant.	
	Mr. P. Singh, P.L. for the State.	
	Heard on the application for conversion of criminal revision into criminal appeal.	
	Learned counsel for the applicant submits that learned Special Judge, N.D.P.S. Act, Jashpur has forfeited a sum of Rs.5,000/- out of the security of Rs.25,000/-, given by the present applicant for production of the accused before the said Court, because of the non-appearance of the accused on 13.6.2006. However, in place of preferring an appeal under Section 459 of Cr.P.C. inadvertently a criminal revision has been filed, therefore, permission is sought to convert this criminal revision into criminal appeal.	
	This revision has been preferred within the period of limitation prescribed, however, it is barred by limitation, if it is considered as criminal appeal. Even otherwise, if we go through the impugned order, it is observed	

मामला क्रमांक

सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	-2-	
	that the order dated 17.1.2007 has been passed in the presence of the applicant after his admission that he failed to produce the accused in the court on 13.6.2006. In the aforesaid circumstances, no useful purpose would be served if the applicant is permitted to convert this revision into appeal. Accordingly, the application as also the criminal revision preferred by the applicant is hereby dismissed.	Sd/- DHIRENDRA MISHRA Judge